Honorable Benjamin H. Settle 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 NORTHWEST PIPE COMPANY, a Case No.: 21-05652 BHS Washington corporation, 10 STIPULATED MOTION AND ORDER DISMISSING ALL CLAIMS WITH Plaintiff, 11 **PREJUDICE** v. 12 THE PHOENIX INSURANCE COMPANY, a 13 foreign insurer authorized by the Washington insurance commissioner, TRAVELERS PROPERTY CASUALTY COMPANY OF 14 AMERICA, a foreign insurer authorized by the 15 Washington insurance commissioner, and ALLIED WORLD NATIONAL ASSURANCE COMPANY, a foreign insurer 16 authorized by the Washington insurance 17 commissioner, 18 Defendants. 19 I. STIPULATED MOTION 20 Pursuant to Fed. R. Civ. P. 41(a)(2), this Stipulated Motion and [Proposed] Order is 21 22 filed on behalf of Plaintiff Northwest Pipe Company and Defendants The Phoenix Insurance Company, Travelers Property Casualty Company of America, and Allied World National 23

Pursuant to Fed. R. Civ. P. 41(a)(2), this Stipulated Motion and [Proposed] Order is filed on behalf of Plaintiff Northwest Pipe Company and Defendants The Phoenix Insurance Company, Travelers Property Casualty Company of America, and Allied World National Assurance Company (collectively, the "Parties"). It is hereby stipulated and agreed to by the Parties, through their undersigned attorneys of record, that this action, including all claims that were or could have been asserted by any of the Parties with respect to the subject matter

STIPULATED MOTION AND ORDER DISMISSING ALL CLAIMS WITH PREJUDICE - 1

BUCHALTER 1420 FIFTH AVENUE, SUITE 3100 SEATTLE, WA 98101-1337 TELEPHONE: 206.319.7052

24

25

26

of this action, shall be dismissed with prejudice without an award of attorney fees or costs to 1 any of the Parties herein. 2 Respectfully submitted this 16th day of October, 2023. 3 4 5 **BUCHALTER PC** LETHER LAW GROUP 6 /s/Bradley Hoff /s/Thomas Lether Bradley Hoff, WSBA #23974 Thomas Lether, WSBA #18089 7 1420 Fifth Avenue, Suite 3100 Geraldine A. T. Enrico, WSBA #54917 Seattle, WA 98101-1337 1848 Westlake Avenue N., Suite 100 8 Seattle, WA 98109 T: 206.319.7052 9 E: bhoff@buchalter.com T: 206.467.5444 F: 206.467.5544 Attorneys for Plaintiff Northwest Pipe E: tlether@letherlaw.com 10 Company E: genrico@letherlaw.com Attorneys for Defendants The Phoenix 11 Insurance Company and Travelers Property Casualty Company of America 12 13 14 NICOLAIDES FINK THORPE FORSBERG UMLAUF, P.S. MICHAELIDES SULLIVAN LLP 15 <u>/s/Stephanie Andersen</u> <u>/s/Ian A. Cooper</u> 16 Ian A. Cooper, Bar #6292599 Stephanie Andersen, WSBA #22250 Sally A. Clements, WSBA #54502 Alida Pecanin, Bar #6330275 17 901 Fifth Avenue, Suite 1400 10 South Wacker Drive, Suite 2100 18 Seattle, WA 98164 Chicago, IL 60606 T: 206.689.8500 F: 206.689.8501 T: 312.585.1400 F: 312.585.1401 19 E: SAndersen@FoUm.law E: icooper@nicolaidesllp.com E: SClements@FoUm.law E: apecanin@nicolaidesllp.com 20 Attorneys for Defendant Allied World Attorneys for Defendant Allied World National Assurance Company National Assurance Company 21 Admitted Pro Hac Vice 22 23 24 25 26

CASE NO.: 21-5652

II. **ORDER** 2 Pursuant to the parties' stipulation, IT IS SO ORDERED: 3 5 6 United States District Judge 7 8 Jointly Presented by: 9 **BUCHALTER PC** 10 /s/Bradley Hoff 11 Bradley Hoff, WSBA #23974 12 1420 Fifth Avenue, Suite 3100 Seattle, WA 98101-1337 13 E: bhoff@buchalter.com Attorneys for Plaintiff Northwest Pipe Company 14 15 LETHER LAW GROUP 16 /s/Thomas Lether 17 Thomas Lether, WSBA #18089 Geraldine A. T. Enrico, WSBA #54917 18 1848 Westlake Avenue N., Suite 100 19 Seattle, WA 98109 E: tlether@letherlaw.com 20 E: genrico@letherlaw.com Attorneys for Defendants The Phoenix Insurance Company and 21 Travelers Property Casualty Company of America 22 23 24 25 26

STIPULATED MOTION AND ORDER DISMISSING ALL CLAIMS WITH PREJUDICE - 3

CASE NO.: 21-5652

- 1	
1	FORSBERG UMLAUF, P.S.
2	TOROBERG GIVIENTOT, T.S.
3	/s/Stephanie Andersen Stephanie Andersen, WSBA #22250
4	Sally A. Clements, WSBA #54502 901 Fifth Avenue, Suite 1400
5	Seattle, WA 98164
6	E: SAndersen@FoUm.law E: SClements@FoUm.law
7	Attorneys for Defendant Allied World National Assurance Company
8	NICOLAIDES FINK THORPE MICHAELIDES SULLIVAN LLP
9	/s/Ian A. Cooper
10	Ian A. Cooper, Bar #6292599 Alida Pecanin, Bar #6330275
11	10 South Wacker Drive, Suite 2100 Chicago, IL 60606
12	E: icooper@nicolaidesllp.com
13	E: apecanin@nicolaidesllp.com Attorney for Allied World National Assurance Company
14	Admitted Pro Hac Vice
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
- 1	1

CASE NO.: 21-5652

26